

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 9/9/2014	(3) CONTACT/PHONE Diana Haines, Utility Coordinator (805) 781-4776	
(4) SUBJECT Hearing to consider a resolution to establish Underground Utility District No. 31 along San Luis Street between San Rafael Street and First Street in Avila Beach and finding that the District is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). District 3.			
(5) RECOMMENDED ACTION It is recommended that your Board adopt the attached resolution establishing the formation of the Underground Utility District No. 31 along San Luis Obispo Street in the Community of Avila Beach and finding that the District is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).			
(6) FUNDING SOURCE(S) California Public Utilities Commission Tariff Rule 20A credits, Public Works ISF Reserves	(7) CURRENT YEAR FINANCIAL IMPACT \$85,000.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>15 min.</u>) <input type="checkbox"/> Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: 8/12/14, #1	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 3			

Reference: 14SEP09-H-1

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Diana Haines, Utility Coordinator

VIA: Jeff Werst, Design Division Manager

DATE: 9/9/2014

SUBJECT: Hearing to consider a resolution to establish Underground Utility District No. 31 along San Luis Street between San Rafael Street and First Street in Avila Beach and finding that the District is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). District 3.

RECOMMENDATION

It is recommended that your Board adopt the attached resolution establishing the formation of the Underground Utility District No. 31 along San Luis Obispo Street in the Community of Avila Beach and finding that the District is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).

DISCUSSION

The California Public Utilities Commission (CPUC) Tariff Rule 20A/32 program provides for conversion of overhead utility facilities to underground facilities. Over the past 35 years, the County has worked with the utility companies to convert more than 25 specific areas by establishing underground utility districts, funded in part or in total, from credits provided under the Tariff Rule 20A/32 program.

Currently, the County has two underground district projects in a project development phase with construction planned in 2015 by the utility companies. These districts are located along Los Osos Valley Road in Los Osos and along Route 58 in Santa Margarita. With these projects proceeding, the Tariff Rule 20A/32 program has capacity to begin additional project sites.

Sites for future underground utility districts have been identified in the attached "Priority List Recommendation for Underground Utility Districts", which was adopted by your Board on December 18, 2007. The prioritized list originated from the County Underground Utility Coordination Committee (UUCC), which was formed by your Board in 1976.

The County UUCB has proposed to continue on the priority list with the establishment of Underground Utility Districts along San Luis Street between San Rafael Street and First Street in the town of Avila Beach, and along South Bay Boulevard between Turri Road and Morro Bay City limits north of the Town of Los Osos. These proposed projects will convert the overhead utilities (electric, phone, and cable TV) to underground.

For the proposed underground Utility District No. 31, the overhead to underground utilities conversion program involves PG&E, AT&T, Charter Communications and UMAN companies, who are responsible for the design, management and construction of the project. Funding for the project is through the California Public Utilities Commission Tariff Rule 20A/32 allocations, and specific utility company budgets.

The County is the agency authorized to oversee the formation of the District as required by the appropriate County Code Section 13.50. According to Tariff 20A/32, an underground utility district is identified by a local governing agency in cooperation with all affected utility companies and undergrounds said utilities in the general interest of the public for one or more of the following reasons, with specific application to Underground Utility District No. 31 (UUD31) noted:

- 1) Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

UUD31 - The land use category of this area is Residential Multi Family and Commercial Retail. Due to the high density land use classification associated with these categories, existing multiple overhead lines serve many buildings and structures. Future multiple overhead lines will only add to the "clutter" of the existing view corridor.

- 2) The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicle traffic;

UUD31 - San Luis Parkway is a primary access route to Avila Beach, downtown, recreation, events and residential areas. Summertime is the peak season for heavy volumes going to the Avila Beach area.

- 3) The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public;

UUD31 - San Luis Parkway passes through the civic area, public recreation area, and scenic area of the Avila Beach area. Civic areas include commercial businesses of the downtown area, public museum, hotels, restaurants, and shops. Public recreation areas include the downtown area, ocean and beach access, public parks, and public bike trails. Scenic areas include the downtown area, ocean, beach, wharf, piers, and views of Port San Luis.

- 4) The street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines.

UUD31 - Not Applicable

OTHER AGENCY INVOLVEMENT/IMPACT

The Avila Beach Community Services District and all affected utility companies and the Underground Utility Coordination Committee were notified of these matters.

County Counsel has reviewed the resolution as to legal form and effect.

The County Environmental Coordinator has approved the attached Notice of Exemption to CEQA.

FINANCIAL CONSIDERATIONS

Under the Tariff Rule 20A/32 program, the County receives annual credits from the CPUC which equates to a value of approximately \$500,000. As these credits accumulate, these underground utility districts will advance to design and construction. Project development costs are a shared responsibility between the utility company and the County. The County has established reserves, within Service to Special Districts, specifically for the purpose of funding the County's share of project development costs which are estimated to be \$85,000. The department will return to the Board to appropriate these funds in the future as needed.

The attached engineer's report indicates the estimated cost to affected utility companies, the County and owners of the property included within the boundary. The cost estimates for the utility companies have been provided by each utility and may not reflect the final cost to the utility at the end of the project. The estimated costs to the County **are** based off the estimated time and effort in County staff time to fulfill agency responsibilities for the project including, but not limited to, some project management and right-of-way costs. **At this time, there are no anticipated** connection charges or standard conversion costs to the **affected** property owners.

RESULTS

Approval of the recommended action will result in the formation of the Underground Utility District No 31, resulting in the conversion of overhead utility facilities within the area of Avila Beach and provide funding to cover the costs incurred for project management, easements and other agency responsibilities required to complete the undergrounding projects. Establishing this Underground District and implementing the installation of the overhead utility lines underground will help create more livable communities in these areas.

File: CF 390.200.01 Avila Beach #31

Reference: 14SEP09-H-1

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ATTACHMENTS

1. Vicinity Map
2. Priority List Recommendation for Underground Utility Districts for Consideration at December 18, 2007 Meeting
3. Excerpt from Governor's Office of Planning and Research General Plan Guidelines
4. Report by the Director of Public Works for Underground Utility District at San Luis Street in the Town of Avila Beach District No. 31
5. Resolution Establishing Underground Utility District No. 31 at San Luis Street Between San Rafael and First Street in the Town of Avila Beach Supervisorial District No. 3
6. Notice of Exemption (CEQA)